

Message

From: Tracy Curtis [Tracy.Curtis@erg.com]
Sent: 11/30/2018 2:11:48 PM
To: Yellin, Patrick [Yellin.Patrick@epa.gov]; Amanda Singleton [Amanda.Singleton@ERG.com]
CC: Mia, Marcia [Mia.Marcia@epa.gov]
Subject: RE: ICR 2042 (NESHAP for Semiconductor mfg)
Attachments: prr_826140090700001.pdf

Hi Patrick,

The facility in question was the former Kodak Eastman Business Park facility in Rochester, NY, of which a portion was repermited in 2013 under the name Semiconductor Components Industries, LLC/Trusense. I did a quick search of permits on the New York DEC site, and found that the facility appears to be currently operating under a Title V that includes BBBBBB requirements. However, that Title V technically expired in April 2018. I do not see a draft Title V or draft state permit for this facility, but assume it is in the works (presumably the facility continues to operate under the current Title V until the new permit is issued). The permit writer for the renewal is listed at:

<https://www.dec.ny.gov/cfm/xtapps/envapps/index.cfm?view=detail&applid=1129818>

I've attached the permit review (supporting) document for the 2013 Title V. It indicates (pg. 4),

"TRUESENSE IMAGING INC is subject to Title V requirements. This determination is based on the following information: Truesense semiconductor manufacturing operations were previously permitted under EU U-00020 of Kodak's Title V permit (8-261400205) - a major source facility. As part of a major source, the operations were subject to 40 CFR 63 Subpart BBBBBB (Semiconductor Manufacturing MACT). Prior to the sale of these operations, Kodak contested that the potential emissions from the semiconductor operations, when considered on their own, do not exceed the major source thresholds for Hazardous Air Pollutants (HAPs) and therefore, as a new separate facility should not be considered applicable to the MACT rule. EPA has not provided a response on this issue. The Department proposes to conservatively issue the new facility a Title V permit and maintain the MACT applicability in this permit until directed otherwise."

If you don't want to rely on the (expired) Title V, we have a couple of options. We can either call the NY DEC permit writer to ask if they have insight on how the facility is being permitted, or I can go back to the SIA contact to request if they have input/knowledge of the renewal permit. Otherwise, we could simply adjust the language in 3c to clarify that the one source is permitted as a major source at this time.

Please let me know how you would prefer to proceed.

Thanks,

Tracy R. Curtis
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919-468-7901

From: Yellin, Patrick <Yellin.Patrick@epa.gov>
Sent: Thursday, November 29, 2018 6:07 PM
To: Tracy Curtis <Tracy.Curtis@erg.com>; Amanda Singleton <Amanda.Singleton@erg.com>
Cc: Mia, Marcia <Mia.Marcia@epa.gov>
Subject: ICR 2042 (NESHAP for Semiconductor mfg)

Hi Tracy –

I have some concerns regarding this ICR, specifically on page 4, on the last half of the 2nd paragraph under 3c (consultations), in respect to the "once in, always in" policy. I spoke with my colleagues and we need to know one thing:

- The one source that was in the previous ICR as a major – do you know which that facility was, and if their permit was actually changed from a major to an area source? We need a definite answer on this one.

Best regards,

Patrick

Patrick Yellin
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